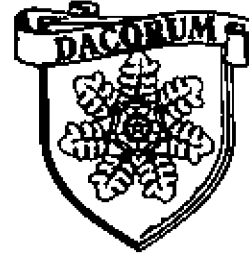


TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

DD

To IDC Property Investments Ltd
IDC House
23 St James's Square
London SW1Y 4JH

Lardi Cox & Partners
One The Old School House
George Street
Hemel Hempstead
Herts

.....Eight Flats, Offices and Car Parking (Outline).....
.....
at 46-56 Alexandra Road, Hemel Hempstead, Herts.....
.....

Brief
description
and location
of proposed
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 31.10.88 and received with sufficient particulars on 31.10.88 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:—

- (1) The application site lies outside the Commercial Area of Hemel Hempstead and therefore the introduction of offices will be contrary to Policy 53 of the adopted Dacorum District Plan.
- (2) The proposed development is excessive on a site which is inadequate satisfactorily to accommodate the proposal together with the necessary residential amenities and vehicle parking facilities, and would have an adverse effect upon a tree worthy of preservation.

Dated Fifteenth day of ... December 19 88 .

Signed..... *Wm Barnard*

Chief Planning Officer

NOTE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

2. If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough Council in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in s.169 of the Town and Country Planning Act 1971.

The tree referred to by the Woodlands Officer is only some 7 m from the building to secure the 12 m safeguard area she considers necessary would involve redesign of the building and the loss of 7 parking spaces.

In conclusion, this proposal will introduce considerable office floorspace into this residential area which may undermine the future of surrounding residential properties. It is accepted that eight residential units are included in the scheme but these are provided with a poor environment, being affected by the large car park. The building will introduce a building of considerable bulk on this important corner. The Committee members must also consider the removal of the printing works which severely affected the amenities of the area and had implications on highway safety. Also, small office suites are in high demand in Hemel Hempstead as the letters in support of the application demonstrate. However, prior to any redefinition of the commercial area in the review of the District Plan and the poor layout within the site, on balance the scheme is considered unsatisfactory.

RECOMMENDATION - That planning permission be REFUSED (on form DC4) for the following reasons:

1. The application site lies outside the Commercial Area of Hemel Hempstead and therefore the introduction of offices will be contrary to Policy 53 of the adopted Dacorum District Plan.
2. The proposed development is excessive on a site which is inadequate satisfactorily to accommodate the proposal together with the necessary residential amenities and vehicle parking facilities, and would have an adverse effect upon a tree worthy of preservation.

* * *